



RECEIVED

2004 MAR 26 PM 3:51

BellSouth Telecommunications, Inc
333 Commerce Street
Suite 2101
Nashville, TN 37201-3300

guy.hicks@bellsouth.com

March 26, 2004

Guy M. Hicks
General Counsel
615 214 6301
Fax 615 214 7406

T.P.A. DOCKET ROOM

VIA HAND DELIVERY

Hon. Deborah Taylor Tate, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Implementation of the Federal Communications Commission's
Triennial Review Order (Nine-month Proceeding) (Loop & Transport)*
Docket No. 03-00527

Dear Chairman Tate:

Enclosed are the original and fourteen copies of BellSouth's Second Supplemental Responses to KMC's First Set of Interrogatories. The attachment to the response to Item 26 contains proprietary information and is being submitted under separate cover subject to the terms of the Protective Order entered in this docket. Copies of the enclosed are being provided to counsel of record.

Very truly yours,

Guy M. Hicks

GMH ch

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

IMPLEMENTATION OF THE FEDERAL)	
COMMUNICATIONS COMMISSION'S)	DOCKET NO. 03-00527
TRIENNIAL REVIEW ORDER – 9 MONTH)	
PROCEEDING - LOOP & TRANSPORT)	

**BELLSOUTH TELECOMMUNICATIONS, INC.'S SECOND SUPPLEMENTAL
RESPONSES TO KMC TELECOM III, LLC'S
FIRST SET OF DATA REQUESTS**

BellSouth Telecommunications, Inc. ("BellSouth") respectfully submits the following Second Supplemental Responses to KMC Telecom III, LLC ("KMC") First Set of Data Requests, dated January 9, 2004.

BellSouth incorporates herein by reference all of its general and specific objections filed on January 9, 2004. Any responses provided by BellSouth in response to this discovery will be provided subject to and without waiving any of BellSouth's previously filed objections.

REQUEST: For each transport route identified in your submission in this docket on January 2, 2004, as satisfying the self-provisioning trigger, identify all instances in which BellSouth has provisioned to any of the carriers identified as self-provisioners (i) UNE transport, (ii) UNE dark fiber or (iii) special access between the "A" and "Z" locations on the route. Provide for each carrier, the number of circuits or elements for which BellSouth is currently billing the carrier, the type of service provided (i.e., UNE transport, UNE dark fiber, special access) and the capacity level of each circuit or element provisioned. Please provide any such list in manipulable electronic format.

RESPONSE: BellSouth objects to this Request on the grounds that it is not relevant to the subject matter of this docket and is not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this Request on grounds that it is overly broad, unduly burdensome, and oppressive. Finally, BellSouth objects to this Request to the extent that it seeks confidential information that BellSouth cannot disclose under the FCC's Customer Proprietary Network Information ("CPNI") rules, 47 CFR §64.2007 or under nondisclosure agreements to which BellSouth is a party. BellSouth will only provide confidential information consistent with the FCC's rules and BellSouth-executed nondisclosure agreements.

SUPPLEMENTAL RESPONSE

Responsive information is provided in Attachment No. 26. This document is proprietary and is being provided subject to the protective agreement in this docket

REQUEST: For each transport route identified in your submission in this docket on January 2, 2004, as satisfying the wholesale provisioning trigger, identify all instances in which BellSouth has provisioned to any of the carriers identified as wholesale providers (i) UNE transport, (ii) UNE dark fiber or (iii) special access between the "A" and "Z" locations on the route. Provide for each carrier, the number of circuits or elements for which BellSouth is currently billing the carrier, the type of service provided (*i.e.*, UNE transport, UNE dark fiber, special access) and the capacity level of each circuit or element provisioned. Please provide any such list in manipulable electronic format.

RESPONSE: BellSouth objects to this Request on the grounds that it is not relevant to the subject matter of this docket and is not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this Request on grounds that it is overly broad, unduly burdensome, and oppressive. Finally, BellSouth objects to this Request to the extent that it seeks confidential information that BellSouth cannot disclose under the FCC's Customer Proprietary Network Information ("CPNI") rules, 47 CFR §64.2007 or under nondisclosure agreements to which BellSouth is a party. BellSouth will only provide confidential information consistent with the FCC's rules and BellSouth-executed nondisclosure agreements.

SUPPLEMENTAL RESPONSE:

See BellSouth's Supplemental Response to Item No. 26.

REQUEST: For each transport route identified in your submission in this docket on January 2, 2004, as satisfying the self-provisioning trigger, identify all instances in which BellSouth has provisioned to any of the carriers identified as self-provisioners (i) UNE transport, (ii) UNE dark fiber or (iii) special access, where one end point of the circuit or element is either the "A" or "Z" locations on the route. Provide for each carrier, the number of circuits or elements for which BellSouth is currently billing the carrier, the type of service provided (*i.e.*, UNE transport, UNE dark fiber, special access) and the capacity level of each circuit or element provisioned. Please provide any such list in manipulable electronic format.

RESPONSE: BellSouth objects to this Request on the grounds that it is not relevant to the subject matter of this docket and is not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this Request on grounds that it is overly broad, unduly burdensome, and oppressive. Finally, BellSouth objects to this Request to the extent that it seeks confidential information that BellSouth cannot disclose under the FCC's Customer Proprietary Network Information ("CPNI") rules, 47 CFR §64.2007 or under nondisclosure agreements to which BellSouth is a party. BellSouth will only provide confidential information consistent with the FCC's rules and BellSouth-executed nondisclosure agreements.

SUPPLEMENTAL RESPONSE:

See BellSouth's Supplemental Response to Item No. 26.

REQUEST: For each transport route identified in your submission in this docket on January 2, 2004, as satisfying the wholesale provisioning trigger, identify all instances in which BellSouth has provisioned to any of the carriers identified as wholesale providers (i) UNE transport, (ii) UNE dark fiber or (iii) special access, where one end point of the circuit or element is either the "A" or "Z" locations on the route. Provide for each carrier, the number of circuits or elements for which BellSouth is currently billing the carrier, the type of service provided (*i.e.*, UNE transport, UNE dark fiber, special access) and the capacity level of each circuit or element provisioned. Please provide any such list in manipulable electronic format.

RESPONSE: BellSouth objects to this Request on the grounds that it is not relevant to the subject matter of this docket and is not reasonably calculated to lead to the discovery of admissible evidence. BellSouth further objects to this Request on grounds that it is overly broad, unduly burdensome, and oppressive. Finally, BellSouth objects to this Request to the extent that it seeks confidential information that BellSouth cannot disclose under the FCC's Customer Proprietary Network Information ("CPNI") rules, 47 CFR §64.2007 or under nondisclosure agreements to which BellSouth is a party. BellSouth will only provide confidential information consistent with the FCC's rules and BellSouth-executed nondisclosure agreements.

SUPPLEMENTAL RESPONSE:

See BellSouth's Supplemental Response to Item No. 26.

Respectfully submitted this 26th day of March, 2004.

BELLSOUTH TELECOMMUNICATIONS, INC.

Guy M. Hicks
Joelle Phillips
333 Commerce Street, Suite 2101
Nashville, Tennessee 37201-3300
615-214-6301

R. Douglas Lackey
Andrew Shore
Meredith Mays
675 W. Peachtree St., NE, Suite 4300
Atlanta, GA 30375

532884

CERTIFICATE OF SERVICE

I hereby certify that on March 26, 2004, a copy of the foregoing document was served on the parties of record, via the method indicated:

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

Henry Walker, Esquire
Boult, Cummings, et al.
414 Union Street, #1600
Nashville, TN 37219-8062
hwalker@boultcummings.com

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

Charles B. Welch, Esquire
Farris, Mathews, et al.
618 Church St., #300
Nashville, TN 37219
cwelch@farrismathews.com

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

Martha M. Ross-Bain, Esquire
AT&T
1200 Peachtree Street, Suite 8100
Atlanta, Georgia 30309
rossbain@att.com

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

Timothy Phillips, Esquire
Office of Tennessee Attorney General
P. O. Box 20207
Nashville, Tennessee 37202
timothy.phillips@state.tn.us

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

H. LaDon Baltimore, Esquire
Farrar & Bates
211 Seventh Ave. N, # 320
Nashville, TN 37219-1823
don.baltimore@farrar-bates.com

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

James Wright, Esq.
United Telephone - Southeast
14111 Capitol Blvd.
Wake Forest, NC 27587
james.b.wright@mail.sprint.com

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

Ms. Carol Kuhnow
Qwest Communications, Inc.
4250 N. Fairfax Dr.
Arlington, VA 33303
Carol.kuhnow@qwest.com

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

Jon E. Hastings, Esquire
Boult, Cummings, et al.
P. O. Box 198062
Nashville, TN 37219-8062
jhastings@boultcummings.com

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

Dale Grimes, Esquire
Bass, Berry & Sims
315 Deaderick St., #2700
Nashville, TN 37238-3001
dgrimes@bassberry.com

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

Mark W. Smith, Esquire
Strang, Fletcher, et al.
One Union Square, #400
Chattanooga, TN 37402
msmith@sf-firm.com

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

Nanette S. Edwards, Esquire
ITC^DeltaCom
4092 South Memorial Parkway
Huntsville, AL 35802
nedwards@itcdeltacom.com

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

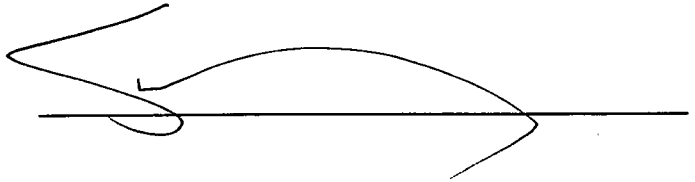
Guilford Thornton, Esquire
Stokes & Bartholomew
424 Church Street, #2800
Nashville, TN 37219
gthornton@stokesbartholomew.com

☐ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☒ Electronic

Marva Brown Johnson, Esquire
KMC Telecom
1755 N. Brown Road
Lawrenceville, GA 30043
marva.johnson@kmctelecom.com

- ☐ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight
- ☒ Electronic

Ken Woods, Esquire
MCI WorldCom
6 Concourse Parkway, #3200
Atlanta, GA 30328
Ken.woods@mci.com

A handwritten signature in black ink, appearing to be "Ken Woods", written over a horizontal line.